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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,424	04/16/2004	Jui-Jung Chuo	2450-0604PUS2	9942
2292	7590	03/09/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			IZAGUIRRE, ISMAEL	
			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/825,424	Applicant(s) CHUO, JUI-JUNG	
	Examiner Ismael Izaguirre	Art Unit 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 9 is/are rejected.
- 7) ☒ Claim(s) 2-8 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

CLAIMS

Summary

Claim 1 is the independent claim under consideration in this Office Action.

Claims 2-10 are the dependent claims under consideration in this Office Action.

Claim Rejections - 35 U.S.C. § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to this claim, lines 3-4, there is no proper antecedent for the words "said linking arm" and "said fifth crank".

In the last line, there is no proper antecedent for the words "said linking arm".

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hacklander et al. (2,158,562) in view of Albrecht et al. (5,005,504).

Hacklander et al. disclose the invention substantially as claimed. Hacklander et al. teach a transverse longitudinal cylinder sewing machine (figures 1, 2 and 8, for example). The sewing machine comprises an automatic thread loosening device 139, a tension adjustment mechanism 135-145 (figure 1), a material cutter 127 (figure 2) for assuring the edges of the material being sewn are neat and trimmed, and a differential fabric driving teeth displacement control device. The device includes a primary transmission mechanism 12 (figure 3), first and second push mechanisms 76 and 43, first and second adjustment mechanisms 36 and 40 (figures 2 and 16) and a rocking mechanism 47 and 35 driven by the primary, first and second fabric driving mechanisms 25 and 26 having teeth (figures 11 and 12). The first and second driving mechanisms are connected to first and second push arms 33 and 34 for driving the material through the sewing area. Wherein the first and second driving mechanisms are normal to other mechanism (figure 1) and form chained movements and controlling the movement of the first and second material driving mechanisms. However, Hacklander et al. do not suggest the material cutter being an automatic thread cutter driven by a solenoid.

Albrecht et al. teach a sewing machine including instrumentalities for forming stitches and teaches an automatic thread cutter 33 for catching and cutting the threads after a sewing operation. Further, Albrecht et al. teach the thread cutter as including a driving means including a solenoid 85 (column 5, line 19).

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Accordingly, it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the sewing machine of Hacklander et al. as including a solenoid driven thread cutter. Providing such a device would assure the formation of a neat and trim seam in the material being sewn. Providing an electrical source for the driving of the cutter would assure a proper timing of the cutter and avoid cranks and cams connected to a main shaft of the sewing machine, as well.

ALLOWABLE SUBJECT MATTER

Claims 2-8 and 10 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. De Voe and Smith illustrate differential driving arrangements for material feeding devices (feed dogs). Rubel illustrates a lubrication arrangement for a sewing machine. Ebert illustrates a transverse longitudinal cylinder sewing machine with a differential feed mechanism. Marforio illustrates a sewing machine including a thread tension means, thread loosening means, and thread cutting means. Jimenez et al. illustrate a feed dog arrangement with means for adjusting the amplitude and direction of the material feed.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ismael Izaguirre
Primary Examiner
Art Unit 3765